

WORK BETWEEN SESSIONS

Governor's Children and Youth Cabinet

STATE OF VERMONT Executive Department

E X E C U T I V E O R D E R

WHEREAS, Vermont's children are our most precious and valued resource; and

WHEREAS, through the efforts of state government, local government, communities and individuals, much focus is being given to solving problems encountered by a segment of Vermont's youth, such as the growing numbers of Vermont youth being placed under the supervision of the Department of Corrections; the numbers of Vermont youth that are truant or dropping out of school; and Vermont's substance abuse problem; and

WHEREAS, many programs exist to support and help Vermont's youth and to address specific problems; and

WHEREAS, these programs will prove to be more effective if they are formally coordinated; and

WHEREAS, the problems affecting some young Vermonters are better solved through coordination not only among the various agencies and departments of the executive branch but also between the three branches of government.

NOW, THEREFORE, BE IT RESOLVED THAT I, Howard Dean, M.D., by virtue of the authority vested in me as Governor, for the purpose of improving the well-being of Vermont's children, do hereby establish the Governor's Children and Youth Cabinet.

The Cabinet shall be made up of the Secretary of the Agency of Human Services, who shall serve as Chair; **the commissioners of Education;** Employment and Training; Health, Social and Rehabilitation Services; Corrections; Prevention, Assistance, Transition and Health Access; Public Safety; and Developmental and Mental Health Services, as well as a representative of the Governor's office and the Secretary of Administration. The Vermont Supreme Court may designate the Court Administrator and up to three Judges of the Superior or District Courts to participate with the Cabinet. The General Assembly may appoint a member from the House of Representatives, to be selected by the Speaker of the House, and from the Senate, to be appointed by the Committee of Committees, to participate with the Cabinet. Each member of the Cabinet shall attend Cabinet meetings in person and not appoint or send a designee. The Cabinet shall meet at least quarterly to carry out the following responsibilities:

- 1) Monitor the well-being of Vermont's children according to the outcomes and indicators adopted by the General Assembly in 1999;
- 2) Submit a "How Are the Children?" report annually to the Governor and General Assembly;

- 3) Review and improve practice and policy related to children's services, when, in the judgment of the Cabinet existing practices and policies no longer promote child well-being;
- 4) Coordinate services and resources among and between the departments and agencies of the executive branch and, to the greatest extent possible, between the branches of government;
- 5) Resolve concerns that transcend departmental lines authority.

To carry out these responsibilities the Cabinet may:

- 1) With the assent of the chair, invite other knowledgeable people to join their quarterly deliberations;
- 2) Empower existing entities to conduct research on outcomes, best practice, or potential impact of policy and practice changes, and report back to the Cabinet;
- 3) Convene task forces, as needed, to address specific issues or concerns;
- 4) Contract with one or more private non-profit organizations to carry out workplans of the Cabinet.

I charge the Cabinet with examining existing policy and, where needed, making policy recommendations in at least the following areas: access to early care and education; effective use of Vermont's home visiting and family support resources; provision of juvenile justice; coordination of out of school time services; and efforts to eradicate adolescent substance abuse.

Administrative support shall be provided by the Agency of Human Services.

This Executive Order shall take effect upon signing and shall sunset on June 30, 2010.

Witness my name hereunto subscribed and the
Great Seal of the State of Vermont hereunto affixed
at Montpelier, this ____ day of January, 2002,
A.D.

Howard Dean, M.D.
Governor

By the Governor

Kate O'Connor
Secretary of Civil and Military Affairs

Executive Order 02-02

Act #118 (H. 708) An Act Relating to High School Diplomas for WW II Veterans
<http://www.leg.state.vt.us/docs/2002/acts/ACT118.HTM>

NO. 118. AN ACT RELATING TO HIGH SCHOOL DIPLOMAS FOR WORLD WAR II VETERANS.

(H.708)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The General Assembly finds:

(1) This act is intended to honor veterans of World War II who never completed their secondary education.

(2) The awarding of high school diplomas to World War II veterans does not diminish, in any manner, the extraordinary sacrifices which the veterans of more recent military conflicts have made on our nation's behalf.

(3) This act can serve as a model for future legislatures to honor the veterans of more recent military conflicts when a suitable span of time has passed between the conflict's conclusion and the adoption of authorizing legislation.

(4) On December 7, 1941, planes of the Japanese Air Force attacked the U.S. Naval Base at Pearl Harbor, Hawaii, marking the first time a foreign military force had attacked American territory since the War of 1812. In response to this attack, the United States declared war against Japan, and, soon thereafter, the Axis Powers.

(5) As a result of these declarations of war, the nation's youth of that era, who have since been lauded as the greatest generation of Americans, was mobilized, and served our country valiantly with pride and distinction. The courage of these young Americans assured a resounding United States military victory in the nearly four-year-long conflict that preserved our nation's freedoms.

(6) As this generation was discharged from military service in 1945 and 1946, many of these veterans, who had delayed marriage and starting families because of their World War II military obligations, immediately entered the workforce. In that era, when technical knowledge was not as essential an occupational commodity as it is in the 21st century, many of these veterans elected not to complete their high school education.

(7) Over half a century has elapsed since VE and VJ Days. These World War II veterans have largely retired from their careers, and are now senior citizens whose numbers are rapidly decreasing.

(8) It is fitting for the state of Vermont to honor the remaining members of the greatest generation by awarding those who did not complete their secondary education an official high school diploma to symbolize, in a small way, the gratitude of all Vermonters for the sacrifices endured in order that, today, we can live in freedom.

Sec. 2. 16 V.S.A. § 563(25) is added to read:

(25) shall, if it is a school board of a school district which maintains a secondary school, upon request, award a high school diploma to any Vermont resident who served in the military in World War II, was honorably separated from active federal military service, and does not hold a high school diploma. **The state board shall develop and make available an application form for veterans who wish to request a high school diploma.**

Approved: June 5, 2002

Act #135 (S. 224) An Act Relating to Reports of Abuse, Neglect and Exploitation of Elderly and Disabled Adults

<http://www.leg.state.vt.us/docs/2002/acts/ACT135.HTM>

Sec. 21. 3 V.S.A. § 3096 is added to read:

§ 3096. **OLMSTEAD ADVISORY COMMISSION**

- (a) The Olmstead advisory commission is established in the agency of human services.
- (b) The commission shall consist of:
 - (1) three members appointed by the secretary of human services;
 - (2) **the commissioner of the department of education, or his or her designee;**
 - (3) the secretary of transportation, or his or her designee;
 - (4) four individuals appointed by the governor from a list of at least ten individuals recommended by the Vermont Center for Independent Living to represent the interests of Vermonters with disabilities;
 - (5) the commissioner of the department of corrections, or his or her designee;
 - (6) the executive director of the state housing authority, or his or her designee; and
 - (7) two individuals appointed by the governor from a list of at least ten individuals recommended by the secretary of human services to represent nongovernmental providers.
- (c) The commission shall be attached to the office of the agency of human services for administrative support. Consumer representatives shall be entitled to per diem compensation and reimbursement of expenses in accordance with section 1010 of Title 32.
- (d) The commission shall be authorized to meet no more than six times per year, and shall:
 - (1) meet, gather testimony and other information from consumers, advocates, providers, other state advisory bodies, and other interested persons, and hold public hearings to identify barriers that prevent people with disabilities from living in the most integrated settings;
 - (2) determine whether any existing state or federal administrative policies, rules, and organizational structures constitute barriers that prevent people with disabilities from living in the most integrated settings;
 - (3) examine the current allocation of resources and identify what additional resources are needed to ensure that Vermont has a comprehensive, effectively-working plan for placing qualified people with disabilities in the most integrated settings and a waiting list for community-based services that moves at a reasonable pace. The commission, in consultation with the secretary of human services, shall propose to the general assembly a long term financial plan supporting implementation of the placement plan that includes anticipated revenues and expenditures by state agencies and community organizations, recommendations for aligning revenues and expenditures, and any other recommendations or information needed to ensure that the placement plan is financially sustainable.
 - (4) in consultation with the secretary of human services, develop a comprehensive, effectively working plan for placing qualified people with disabilities in the most integrated settings and a waiting list for community based services that moves at a reasonable pace; and

(5) submit a status report on or before January 1 of each year to the governor and the general assembly.

(e) All agencies of state government are directed to cooperate with the commission in providing information needed by the commission to accomplish its mission.

Act #142 (H. 766) An Act Making Appropriations for the Support of Government
<http://www.leg.state.vt.us/docs/2002/acts/ACT142.HTM>

Sec. 119 3 V.S.A. § 3026(a) is amended to read:

(a) The secretary of human services, **the commissioner of education**, and the president of the University of Vermont shall establish a research partnership to study and make recommendations for improving the effectiveness of state and local health, human services, and education programs. Critical program outcomes relating to the well-being of Vermonters that should be addressed by the research partnership may include, without limitation, the following:

(1) Children, families and individuals are engaged in and contribute to their community's decisions and activities.

(2) Pregnant woman and children thrive.

(3) Children are ready for school.

(4) Children succeed in school.

(5) Children live in stable, supported families.

(6) Youth choose healthy behaviors.

(7) Youth successfully transition to adulthood.

(8) Elders and people with disabilities live with dignity and independence in settings they prefer.

(9) Families and individuals live in safe and supportive communities.

(10) Adults lead healthy and productive lives.

Act #144 (H. 771) An Act Relating to Miscellaneous Tax Amendments
<http://www.leg.state.vt.us/docs/2002/acts/ACT144.HTM>

Sec. 43. FINANCE OF SCHOOL CONSTRUCTION

(a) Notwithstanding any provisions of Titles 16 and 32, a school district, or a Vermont participant in an interstate school district, may vote to remove spending, including capital debt service, for capital school construction costs certified by the commissioner as eligible for approval under 16 V.S.A. § 3448(a)(8), voted after July 1, 2002, and begun in fiscal years 2003, 2004 or 2005, from the calculation of its local education spending for any fiscal year. A school district which has voted a capital school construction project after February 2000, but before July 1, 2002, and which has begun construction before July 1, 2002, may vote to remove spending for capital debt service on costs which the commissioner certifies would be eligible for approval under 16 V.S.A. § 3448(a)(8), from its local education spending for any fiscal year beginning July 1, 2002 or after. The legislative body in the municipality shall then assess each owner on the municipality's education property tax grand list at the rate necessary to raise the capital construction spending amount removed from local education spending, and shall identify the amount of that tax separately with the tax bill. "School

district” under this subsection means a district which pays statewide property tax at the rate set under 32 V.S.A. § 5402.

(b) A school district other than a Vermont participant in an interstate school district, which votes to remove certified capital school construction spending from local education spending under this section shall not be entitled to state school construction aid under chapter 123 of Title 16 for that capital construction. The education tax rate of a district that is a member of a union district, and that does not vote to remove capital construction spending from its local education spending under this section, shall remain at a rate unaffected by the removal of spending by any other district in the union; and the commissioner of education shall develop a methodology to implement this provision.

(c) For each member of a union district that votes as authorized under subsection (a), the state school construction aid of the union school district shall be reduced by the portion allocable to the excluded capital construction spending of that member; and the allocation of expenses under the union district agreement shall be adjusted accordingly.

(d) The Department of Education shall study school construction needs, funding equity and methodologies, and propose a school construction aid formula and budget for the fiscal year 2004 capital construction act that restores substantial equity to all Vermont’s children according to 16 V.S.A. § 1.

Act #149 (H. 763) An Act Relating to Capital Construction, State Bonding and the Department of Corrections
<http://www.leg.state.vt.us/docs/2002/acts/ACT149.HTM>

Sec. 40. CORRECTIONS WORKFORCE COMMITTEE

(a) In order to advance the work begun by the committee established in Sec. 83 of No. 61 of the Acts of 2001 (“2001 committee”), which identified barriers impeding the successful entry of ex-offenders into the workforce, there is established a committee designed to:

(1) coordinate resources and programs that are already available to the corrections population;

(2) explore potential partnerships; and

(3) design and implement solutions to issues identified by the 2001 committee in its January 2002 report to the general assembly, including, but not limited to, the issues identified in section II.D.1 of the report and the need for structured transitional housing.

(b) The committee shall be comprised of the commissioners of employment and training, of corrections, **and of education**, the chancellor of the Vermont state colleges, and the executive director of the Human Resources Investment Council, or their designees, who shall work together and with other public and private entities, including the Community High School of Vermont and independent organizations providing education and training.

(c) The department of employment and training shall provide the committee with administrative support. The legislative council shall also provide administrative support and draft any proposed legislation or reports to the general assembly.

(d) The committee shall report its progress to the house and senate committees on institutions and on education on or before January 15, 2003.

(e) Committee members who are not full-time state employees shall be entitled to per diem and expenses as provided in 32 V.S.A. § 1010.

Sec. 62. **TECHNICAL EDUCATION POLICY; STATE BOARD OF EDUCATION; STUDY**

(a) **The commissioner of education** shall, with guidance from the chairs of the senate and house committees on education and on institutions, the chair of the senate committee on finance, and the chair of the house committee on ways and means, or their designees, and in consultation with the human resources investment council and the joint fiscal office, conduct a review and analysis of the pilot technical education programs designated pursuant to Sec. 121a of No. 71 and Sec. 18 of No. 138 of the Acts of 1998, which will supplement the report required by those acts. The purpose of the review and analysis shall be to provide the state board of education and the general assembly with information which will help to identify the mission and goals for a statewide technical education system, which may include regional strategies. The commissioner shall analyze which innovative strategies employed by the pilot projects were successful or have the potential to be successful, and which did not result in better outcomes for students. The commissioner shall analyze what percentage of funding the state should provide for technical center construction, and shall identify potential sources or systems of funding for capital construction. **The commissioner shall report the results of the review and analysis to the state board of education no later than November 30, 2002.**

(b) Following receipt of the report of the commissioner pursuant to subsection (a) of this section, the state board of education shall, in consultation with the human resources investment council and the joint fiscal office, use the information contained in the commissioner's report, as well as any other information it wishes to gather, to develop a recommendation for the mission and goals for a statewide system of technical education, and strategies for implementing the goals, including:

(1) If deemed a promising innovative strategy, what legislation is needed to authorize the building and operation of a three or four-year regional technical center which would be authorized to offer nontechnical educational courses and grant diplomas.

(2) Whether the general assembly should authorize a new finance system for technical education providers, including a new revenue raising system, a system for incurring debt, a budget approval process, and a system for capital construction funding. The strategy should include an analysis of the impact of the recommended finance system and the capital construction funding system on the entire technical education system, the state budget, and other secondary schools.

(3) How colocation of technical education with other workforce development service providers should occur, including how operational costs and capital construction costs should be shared.

(4) How integration of technical education programs with the general high school curriculum can be accomplished, and its impact on other schools in the service region.

(5) How to encourage development and implementation of innovative technical education programs, including a strategy for state annual appropriation of funds, including capital construction funds, for this purpose.

(6) The educational and fiscal impact of regional technical centers on those schools which are located at a distance from the center and on the educational opportunities of the students in those schools.

(c) **On or before February 15, 2003, the state board shall report its findings and recommendations to the senate and house committees on education and on institutions, the senate committee on finance, and the house committee on ways and means.**

Act # 151 (H. 761) An Act Relating to Professional Regulation and Redistricting the Senate and the House of Representatives

<http://www.leg.state.vt.us/docs/2002/acts/ACT151.HTM>

Sec. 51a. COMMISSIONER OF EDUCATION; REPORT

The commissioner of the department of education shall study and evaluate the potential impacts which licensing speech-language pathologists and audiologists as proposed in this act may have on schools. The commissioner shall file a report of this evaluation with the General Assembly by January 15, 2003.